IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23572 of 1996

DATED: 07.02.2006

Between:

B.Ganga Rao petitioner

And

A.P.S.R.T.C.

Rep by its Managing Director, Musheerabad

Hyderabad & another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 23572 OF 1996

ORAL ORDER:

The present writ petition is filed questioning the action of the respondents in not including the name of the petitioner in proceedings dt 6.9.1996 for promotion to the post of Driving Instructor.

The only grievance of the petitioner is that though he is eligible for promotion to the post of Driving Instructor, his case was not considered and his junior viz., Mr.B.R.Appa Rao was promoted ignoring his seniority and eligibility.

This Court by order dated 11.12.1996 passed interim direction to the respondents to consider the case of the petitioner for promotion to the post of Driving Instructor from the date of his Junior B.R.Appa Rao was considered. Thereafter, the respondent corporation filed a counter affidavit together with vacate stay petition in W.V.M.P. No. 2171 of 1997. In the counter affidavit, promotion given to junior of petitioner was specifically denied and it was stated that the Regional Manager's office has not given any promotion orders to Sri B.R.A.Rao as Driving Instructor. It is also stated that the case of the petitioner will be considered as and when his turn comes. The vacate stay petition was rejected granting liberty to respondent corporation to pass appropriate orders within a period of four weeks thereon.

Today, when the matter is taken up, learned Standing Counsel for respondent corporation submitted that the writ petition is misconceived and is liable to be dismissed inasmuch as no promotion orders were given to petitioner's junior. It is also stated that the case of the petitioner would be considered as and when his turn comes.

It is contended by the learned counsel for petitioner that petitioner is eligible for promotion to the post of Driving Instructor and though Driving Instructor posts are available, petitioner's case is not being considered for promotion.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent corporation.

Taking into consideration the averments made in the counter affidavit, the writ petition is disposed of directing the respondents to consider the case of the petitioner for promotion to the post of Driving Instructor as per his turn and in accordance with law. No costs.

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N.V.RAMANA,J

07.02.2006

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